

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SHAWNI L. TIREY,

Plaintiff,

v.

**Civil Action 2:12-cv-80
Judge George C. Smith
Magistrate Judge Deavers**

**MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,**

Defendant.

ORDER

This matter is before the Court for consideration of the United States Magistrate Judge's February 5, 2013 Report and Recommendation. (ECF No. 16.) The Magistrate Judge recommended that the Court reverse the Commissioner of Social Security's non-disability finding and remand this case to the Social Security Administration pursuant to Sentence Four of 42 U.S.C. § 405(g) for further consideration consistent with her Report and Recommendation.

The Report and Recommendation advises the parties that the failure to object to the within fourteen days results in a "waiver of the right to have the district judge review the Report and Recommendation *de novo*." (Report and Recommendation 16-17, ECF No. 16.) The time period for filing objections to the Report and Recommendation has expired. Neither party has objected.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections expired, the Court **ADOPTS** the Report and Recommendation. Accordingly, the Commissioner of Social Security's

non-disability finding is **REVERSED** and this action is **REMANDED** to the Commissioner and the ALJ under Sentence Four of § 405(g) for further consideration consistent with the Magistrate Judge's February 5, 2013 Report and Recommendation.

IT IS SO ORDERED.

/s/ *George C. Smith*
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT